**2**0001/0005

APR 2 0 2009

McGLEW AND TUTTLE, P.C.

REGISTERED PATENT ATTORNEYS JOHN JAMES McGLEW J.D., NY, NJ, DC BARS BRIAN M. DUNCAN B.S., J.D., NY BAR

THEOBALD J. DENGLER, PATENT AGENT HILDA S. McGLEW M.D., PATENT AGENT PATENT, TRADEMARK, COPYRIGHT, AND UNFAIR COMPETITION CAUSES

Counselors at Law

TEL: (914) 941-5600 FACSIMILE: (914) 941-5855 EMAIL:MandT@mcglewtuttle.com

SCARBOROUGH STATION

SCARBOROUGH, NEW YORK 10510-9227

ATTORNEY DOCKET NO: 71699
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant Serial No : PERINI : 10/527,903

Confirm. No

: 9066

Filed

: March 14, 2005

For

: APPARATUS AND METHOD ...

Art Unit

: 1791

Examiner Dated

: James D. Sells : April 20, 2009

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY THAT THIS REQUEST FOR ORAL HEARING A ND NOTICE FOR SERIAL NO. 10/527,903 (5 PAGES IN ALL) IS BEING FACSIMILE TRANSMITTED TO THE PATENT AND TRADEMARK OFFICE FACSIMILE NUMBER 1-571-273-0299 and 1-571-273-8300 ON THE DATE SHOWN BELOW.

ToniAnn Fonte

NAME OF PERSON SIGNING CERTIFICATION

SIGNATURE

DATED:

April 20, 2009

McGLEW AND TUTTLE, P.C.

BOX 9227 SCARBOROUGH STATION SCARBOROUGH, NEW YORK 10510-9227

TELEPHONE: (914) 941-5600 FACSIMILE: (914) 941-5855

NOTE:

IF THERE IS ANY ADDITIONAL FEE DUE PLEASE CHARGE IT TO OUR

DEPOSIT ACCOUNT 13-0410 AND ADVISE US OF ANY CHARGE THAT YOU

**MAKE** 

71699.14